



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

Attachment C
Page 1 of 20
File Number: 2004-0987
No. 05-05

**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

E12225

This form is provided as a notification of intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

PROJECT TITLE:

Application for **Rezone, Special Development Permit and Tentative Map** filed by Dubrovnik Associates

PROJECT DESCRIPTION AND LOCATION (APN):

Application for related proposals on a 32,993 square-foot site located at **707 East Homestead Road** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 309-46-033)

- Rezone from R-2 (Low-Medium Density Residential) to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District,
- Special Development Permit to construct eight single-family homes, and
- Tentative Map to subdivide one lot into eight lots and two common lots.

WHERE TO VIEW THIS DOCUMENT:

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on Wednesday, February 23, 2005**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Monday, February 28, 2005 at 8:00 p.m. by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale; and on,

Tuesday, March 22, 2005 at 7:00 p.m. by the City Council in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On February 2, 2005

Signed: 

Trudi Ryan, Planning Officer



PLANNING DIVISION
CITY OF SUNNYVALE
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SUNNYVALE, CALIFORNIA 94088-3707

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File Number: 2004-0987
No. 05-05

E1222

MITIGATED NEGATIVE DECLARATION

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

PROJECT TITLE:

Application for **Rezone, Special Development Permit and Tentative Map** filed by Dubrovnik Associates

PROJECT DESCRIPTION AND LOCATION (APN):

Application for related proposals on a 32,993 square-foot site located at **707 East Homestead Road** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 309-46-033)

- Rezone from R-2 (Low-Medium Density Residential) to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District,
- Special Development Permit to construct eight single-family homes, and
- Tentative Map to subdivide one lot into eight lots and two common lots.

FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the zoning regulations to ensure no significant detrimental effect.

The above determination is based upon the initial study conducted in this matter; information provided by the applicant in an "Application for Environmental Clearance" and is based on the fact that the use is in keeping with and not in conflict with the adopted General Plan and Zoning Ordinance. No endangered species are known to depend on this site for habitat.

Mitigations:

Windows and doors for the Homestead Road homes shall have a minimum STC (Sound Transmission Class) rating of 29-30. STC windows are typically achieved with double-glazed thermal windows with a 3/8" to 3/4" separation. Exterior doors shall also meet the STC 29-30 rating. Mechanical ventilation for the units shall also be required to allow the home to be ventilated and conditioned when the openings are closed for noise reduction.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on Wednesday, February 23, 2005**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Mitigated Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On February 2, 2005

Signed: 
Trudi Ryan, Planning Officer

Adopted On _____

Verified: _____
Trudi Ryan, Planning Officer

File Number: 2004-0987
No. 05-05



California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

E12225

PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The **Rezone, Special Development Permit and Tentative Map** are located on **707 East Homestead Road**, City of Sunnyvale, County of Santa Clara in an R-2 (Low-Medium Density Residential) Zoning District. APN: 309-46-033)

PROJECT DESCRIPTION:

Application for related proposals on a 32,993 square-foot site located at **707 East Homestead Road** in an R-2 (Low-Medium Density Residential) Zoning District.

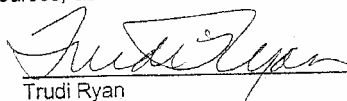
- Rezone from R-2 (Low-Medium Density Residential) to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District,
- Special Development Permit to construct eight single-family homes, and
- Tentative Map to subdivide one lot into eight lots and two common lots.

FINDINGS OF EXEMPTION:

1. This project is in an urban setting.
2. There is no alteration of land or effect on fish or wildlife.

CERTIFICATION:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Trudi Ryan

Title: Planning Officer, Community Development
Lead Agency: City of Sunnyvale
Date: February 4, 2005

City of Sunnyvale
Department of Community Development
Planning Division
P.O.Box 3707
Sunnyvale, CA 94088-3707

INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
Appendix G, CEQA Guidelines

Project #: 2004-0987
Project Address: 707 East Homestead RD, Londonderry Dr
Applicant: George Gera

E12225

1. Project Title: Homestead Subdivision
2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department,
Planning Division
3. Contact Person and Phone Number: Kelly Diekmann, (408) 730-7659
4. Project Location: Double frontage on 707 E Homestead RD and Londonderry
Dr
5. Project Sponsor's Name and Address: GEORGE GERIA
19136 SPRING BROOK LANE
Saratoga, CA 95070
6. General Plan Designation: RLM (Low/ Medium Density)
7. Zoning: R2 (Residential maximum density 12 units per acre)
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. (Attach additional sheets if necessary))

The .75 acre site currently is the location of one single family home that has access from Homestead Rd and rear frontage on Londonderry Dr. The applicant requests a Planned Development Combining District, Special Development Permit, and Tentative Map for the demolition of the existing home and construction of 8 new homes for a net gain of 7 units. The project is divided into two segments with 4 homes having common access to Londonderry Dr and 4 homes having common access to Homestead Dr; no vehicular through access is provided. No additional density beyond what is currently permitted by the existing R-2 zoning is requested.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings) One and two story single family homes to the north, single family homes and apartments to the east and west, neighborhood shopping center to the south.
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement), None

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Applicant: George Gera

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--------------------------|---------------------------------|--------------------------------------|
| • Aesthetics | • Hazards & Hazardous Materials | • Public Services |
| • Agricultural Resources | • Hydrology/Water Quality | • Recreation |
| • Air Quality | • Land Use/Planning | • Transportation/Traffic |
| • Biological Resources | • Mineral Resources | • Utilities/Service Systems |
| • Cultural Resources | • Noise | • Mandatory Findings of Significance |
| • Geology/Soils | • Population/Housing | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. •

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. X

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. •

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. •

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. •

Kelly Dickmann
Signature

2-2-05
Date

Kelly Dickmann
Printed Name

Sunnyvale
For (Lead Agency)

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM
Appendix G, CEQA Guidelines
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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Planning Division Checklist (4 of 8)

I. AESTHETICS. Would the project:

- | | | | | | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|---|--------------|
| a. | Have a substantial adverse effect on a scenic vista? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>17.2</u> |
| b. | Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>17.94</u> |
| c. | Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>94</u> |
| d. | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>95</u> |

II. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|---|-------------|
| a. | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>3</u> |
| b. | Violate any air quality standard or contribute substantially to an existing or projected air quality violation. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>3.97</u> |
| c. | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>3</u> |
| d. | Expose sensitive receptors to substantial pollutant concentrations? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>3</u> |
| e. | Create objectionable odors affecting a substantial number of people? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | X | <u>3</u> |

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Planning Division Checklist (5 of 8)

III. BIOLOGICAL RESOURCES:

- | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | • | • | • | X | <u>94</u> |
| b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service? | • | • | • | X | <u>94</u> |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | • | • | • | X | <u>94</u> |
| d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites? | • | • | • | X | <u>94</u> |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | • | • | X | • | <u>41,115</u> |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan? | • | • | • | X | <u>17</u> |

IV. CULTURAL RESOURCES. Would the project:

- | | | | | | |
|-----------------------------------------------------------------------------------------------------------------------|---|---|---|---|-----------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | • | • | • | X | <u>59</u> |
| b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5? | • | • | • | X | <u>10</u> |

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Planning Division Checklist (6 of 8)

- | | | | | | | |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|----------------------------------------------------|
| c. | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | • | • | • | X | <u>10</u> |
| d. | Disturb any human remains, including those interred outside of formal cemeteries? | • | • | • | X | <u>10</u> |
| VI. LAND USE AND PLANNING. Would the project: | | | | | | |
| a. | Physically divide an established community? | • | • | • | X | <u>12, 115</u> |
| b. | Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | • | • | • | X | <u>12</u> |
| c. | Conflict with any applicable habitat conservation plan or natural communities conservation plan? | • | • | • | X | <u>17</u> |
| VI. MINERAL RESOURCES. Would the project: | | | | | | |
| a. | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | • | • | • | X | <u>19</u> |
| b. | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | • | • | • | X | <u>19</u> |
| VII. NOISE. Would the project result in: | | | | | | |
| a. | Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | • | X | • | • | <u>115, 116</u>
<u>see</u>
<u>discussion</u> |
| b. | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | • | • | • | X | <u>16</u> |
| c. | A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | • | • | • | X | <u>16</u> |

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

Appendix G, CEQA Guidelines

City of Sunnyvale, Department of Community Development, Planning Division

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Project #: 2004-0987
 Project Address: 707 E Homestead RD
 Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Planning Division Checklist (7 of 8)

- | | | | | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|-----------|
| d. | A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | • | • | • | X | <u>16</u> |
| e. | For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | • | • | • | X | <u>16</u> |
| f. | For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | • | • | • | X | <u>16</u> |

VIII. POPULATION AND HOUSING. Would the project:

- | | | | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|-----------|
| a. | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | • | • | • | X | <u>11</u> |
| b. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | • | • | • | X | <u>11</u> |
| c. | Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | • | • | • | X | <u>11</u> |

IX. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- | | | | | | | |
|----|--------------------------------|---|---|---|---|---------------|
| a. | Schools? | • | • | • | X | <u>95</u> |
| b. | Other public facilities? Parks | • | • | • | X | <u>17, 18</u> |

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Planning Division Checklist (8 of 8)

X. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|----------------|
| a. | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | • | • | • | X | <u>28</u> |
| b. | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)? | • | • | • | X | <u>12, 115</u> |
| c. | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | • | • | • | X | <u>115</u> |

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Building & Safety Division Checklist (1 of 1)

XI. GEOLOGY AND SOILS. Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
- (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

•	•	•	X	UBC, UDC, UNC, NBC
---	---	---	---	-----------------------------
 - (ii) Strong seismic ground shaking?

•	•	•	X	"
---	---	---	---	---
 - (iii) Seismic-related ground failure, including liquefaction?

•	•	•	X	"
---	---	---	---	---
 - (iv) Landslides?

•	•	•	X	"
---	---	---	---	---
- b) Result in substantial soil erosion or the loss of topsoil?

•	•	•	X	"
---	---	---	---	---
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

•	•	•	X	"
---	---	---	---	---
- d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?

•	•	•	X	"
---	---	---	---	---
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

•	•	•	X	"
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INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM
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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Public Works Department Checklist (1 of 1)

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|----|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | • | • | • | X | 20 |
| b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | • | • | • | X | 20 |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | • | • | • | X | 24 |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | • | • | • | X | 25 |
| e) Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | • | • | • | X | 20 |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | • | • | • | X | 22 |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | • | • | • | X | 22 |

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

Appendix G, CEQA Guidelines

City of Sunnyvale, Department of Community Development, Planning Division

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Traffic Division Public Works Department Checklist (1 of 1)

XIII. TRANSPORTATION/TRAFFIC. Would the project:

- | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|--------|
| a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | • | • | • | X | 75 |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | • | • | • | X | 12, 82 |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | • | • | • | X | 114 |
| d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? | • | • | • | X | 76 |
| e) Result in inadequate emergency access? | • | • | • | X | 76 |
| f) Result in inadequate parking capacity? | • | • | • | X | 37 |
| g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | • | • | • | X | 85, 12 |

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Project #: 2004-0987
Project Address: 707 E Homestead RD
Applicant: George Gera

E12225

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Fire Division Public Safety Department Checklist (1 of 2)

XIV. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

- | | | | | | | |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|--------------------------------|
| a) | Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| d) | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| g) | Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |
| h) | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | • | • | • | X | <u>UFC/LB</u>
<u>C/SVMC</u> |

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Project Address: 707 E Homestead RD
Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Fire Division Public Safety Department Checklist (2 of 2)

XV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) Fire protection? • • • X UFC/U
BC/SV
MC

Crime Division Public Safety Department Checklist (1 of 1)

XVI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) Police protection?

Parks & Recreation Department Checklist (1 of 1)

XVII. RECREATION

- a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? • • X • 17,18
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? • • X • 17, 18

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Applicant: George Gera

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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Environmental Division Public Works Department Checklist (1 of 1)

XVII. HYDROLOGY AND WATER QUALITY. Would the project:

- | | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---------------|
| a) Violate any water quality standards or waste discharge requirements? | • | • | • | X | <u>24, 87</u> |
| b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | • | • | • | X | <u>25</u> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | • | • | • | X | <u>95, 24</u> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site? | • | • | • | X | <u>95, 24</u> |
| e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | • | • | • | X | <u>24</u> |
| f) Otherwise substantially degrade water quality? | • | • | • | X | <u>56</u> |
| g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | • | • | • | X | <u>56</u> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | • | • | • | X | <u>56</u> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | • | • | • | X | <u>56</u> |
| j) Inundation by seiche, tsunami, or mudflow? | • | • | • | X | <u>24</u> |

Completed By: Kelly Diekmann

Date: February 1, 2005

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RESPONSE

Less than Significant

IIIe Tree protection

Most of the 21 protected trees are proposed to be removed due to their location in path of the new construction, unhealthy specimens, or will not survive changes to the site, or a problematic species if they do survive the site development conditions. The intent of the zoning ordinance protections for trees is to preserve 38-inch circumference trees when feasible but to allow for reasonable use of the property. Due to the compromised integrity of the existing trees reducing their value, location on the site, and Municipal Code requirement to replant substantial sized trees and additional trees to compensate for the loss of large trees, the impact will be less than significant.

Less than Significant with Mitigation

VII NOISE:

ITEM (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Appendix A of the Noise Sub-element of the General Plan establishes noise contours that may result in the residential units closest to Homestead Road being subjected to noise levels exceeding the maximum permitted by the goals and ordinances of the City of Sunnyvale.

An acoustical assessment was conducted by Environmental Consulting Service on December 15, 2004 regarding the potential for noise impacts on the proposed residential units. The noise conditions were projected at a L_{dn} of 71 dBA along Homestead Road indicating a need for mitigation beyond standard construction practices to reduce interior noise to Title 24 requirements of 45 L_d . No impact was project for the residences near Londonderry Drive.

MITIGATION MEASURE: Windows and doors for the Homestead Road homes shall have a minimum STC (Sound Transmission Class) rating of 29-30. STC windows are typically achieved with double-glazed thermal windows with a 3/8" to 3/4" separation. Exterior doors shall also meet the STC 29-30 rating. Mechanical ventilation for the units shall also be required to allow the home to be ventilated and conditioned when the openings are closed for noise reduction.

In addition to interior noise reduction, the Noise Sub-element of the General Plan, Action Statement 3.6A.1f notes: "Supplement the "Noise and Land Use Compatibility Guidelines" for residential uses by attempting to achieve an outdoor L_{dn} of no greater than 60 dBA for common recreation areas, backyards, patios, and medium and large-size balconies. These guidelines should not apply where the noise source is a railroad or airport...."

Noise levels may be as high as 71 L_{dn} along Homestead Road. To mitigate this noise level to 60 db would require a solid wall in excess of 8 feet in height. Due to design goals and aesthetic issues a fence in excess of eight feet would not be permitted, additionally a fence design will be reviewed during the application review process which may result in a design of six to eight feet in height providing some noise attenuation in an effort to achieve the goal of 60db, but will not likely eliminate noise levels in excess of 60 db.

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ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are the most recent version as of the date the initial Study was prepared:

1. City of Sunnyvale General Plan:
2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element
26. City of Sunnyvale Municipal Code:
27. Chapter 10
28. Zoning Map
29. Chapter 19.42. Operating Standards
30. Chapter 19.28. Downtown Specific Plan District
31. Chapter 19.18. Residential Zoning Districts
32. Chapter 19.20. Commercial Zoning Districts
33. Chapter 19.22. Industrial Zoning Districts
34. Chapter 19.24. Office Zoning Districts
35. Chapter 19.26. Combining Zoning Districts
36. Chapter 19.28. Downtown Specific Plan
37. Chapter 19.46. Off-Street Parking & Loading
38. Chapter 19.56. Solar Access
39. Chapter 19.66. Affordable Housing
40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
41. Chapter 19.94. Tree Preservation
42. Chapter 19.96. Heritage Preservation
43. Specific Plans
44. El Camino Real Precise Plan
45. Lockheed Site Master Use Permit
46. Moffett Field Comprehensive Use Plan
47. 101 & Lawrence Site Specific Plan
48. Southern Pacific Corridor Plan
- Environmental Impact Reports**
49. Futures Study Environmental Impact Report
50. Lockheed Site Master Use Permit Environmental Impact Report
51. Tasman Corridor LRT Environmental Impact Study (supplemental)
52. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
53. Downtown Development Program Environmental Impact Report
54. Caribbean-Moffett Park Environmental Impact Report
55. Southern Pacific Corridor Plan Environmental Impact Report
- Maps**
56. City of Sunnyvale Aerial Maps
57. Flood Insurance Rate Maps (FEMA)
58. Santa Clara County Assessors Parcel
59. Utility Maps (50 scale)
- Lists/Inventories**
60. Sunnyvale Cultural Resources Inventory List
61. Heritage Landmark Designation List
62. Santa Clara County Heritage Resource Inventory
63. Hazardous Waste & Substances Sites List (State of California)
64. List of Known Contaminants in Sunnyvale
- Legislation/Acts/Bills/Codes**
65. Subdivision Map Act
66. Uniform Fire Code, including amendments per SMC adoption
67. National Fire Code (National Fire Protection Association)
68. Title 19 California Administrative Code
69. California Assembly Bill 2185/2187 (Waters Bill)
70. California Assembly Bill 3777 (La Follette Bill)

ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are the most recent version as of the date the initial Study was prepared:

- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

Transportation

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers - Trip Generation
- 76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

Public Works

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports

- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?
- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

Building Safety

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

Additional References

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration
- 115. Applicant Site and Architectural Plans
- 116. Acoustic Analysis